

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit: 1796

Hans-Peter Weitzel et al.

Examiner: Alexander C. Kollias

Serial No.: 10/596,266

Filed: June 7, 2006

For: Use Of Biocide-Containing, Water-Redispersible Polymer Powder
Compositions In Mineral Construction Materials

Attorney Docket No.: WAS 0768 PUSA

**TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b)**

Commissioner for Patents
U.S. Patent & Trademark Office
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Sir:

The undersigned is an Attorney of Record in the above-captioned application, and is authorized to act on behalf of the Assignee (37 C.F.R. § 3.73(b)).

Wacker Chemie AG (Assignee) is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned U.S. Patent Application Serial No. 10/596,266 by virtue of assignment, recorded on October 1, 2008, at Reel 021603, Frame 0608.

Assignee hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Patent Application 10/596,266 which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Patent Application Serial No. 11/112,778, and Assignee hereby agrees that any patent so granted on the above-captioned U.S. Patent Application No. 10/596,266 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from U.S. Patent Application Serial No. 11/112,778. This agreement to run

with any patent granted on the above-captioned U.S. Patent Application 10/596,266 and to be binding upon the Assignee, its successors and assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-captioned U.S. Patent Application 10/596,266 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Patent Application Serial No. 11/112,778 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The filing fee of \$140.00 under 37 C.F.R. § 1.20(d) for this Terminal Disclaimer is being charged to Deposit Account No. 02-3978 via electronic authorization submitted concurrently herewith. The Commissioner is hereby authorized to charge any fees or credit any overpayments as a result of the filing of this paper to Deposit Account No. 02-3978.

Respectfully submitted,

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Date: November 24, 2008

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